IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,

AT HYDERABAD

HONOURABLE SMT. JUSTICE T. MEENA KUMARI

AND

HONOURABLE SRI JUSTICE K.C. BHANU

WRIT PETITION NO. 4092 OF 2006

Date:13.03.2006

BETWEEN:

Veerapaneni Roja

…. PETITIONER

And

1. The Station House Officer, VII Town Police Station, Vijayawada, Krishna District, and others.

…. RESPONDENTS

HONOURABLE SMT. JUSTICE T. MEENA KUMARI

AND

HONOURABLE MR. JUSTICE K.C. BHANU

WRIT PETITION NO. 4092 OF 2006

ORAL ORDER: (Per TMK,J.)

This writ petition is taken up on the basis of the Petition dated 25.02.2006, sent

by the petitioner for issuance of Writ of Mandamus to call for records and remarks from the respondents herein in and connected to (i) evicting her forcibly from her house by one Jagannadha Rao, Circle Inspector of Police, VII Town Police Station Vijayawada making her homeless and protection less; (ii) booking a case against her by the said Circle Inspector of Police, VII Town Police Station, Vijayawada under Section 22 & 24 of Mental Health Act on the complaint of her co-tenants, who owes Rs.80,000/- to her and; (iii) harassment meted out by the said police, and consequently to direct the concerned authorities to save her from the harassment meted out by the Circle Inspector of Police and Constables of VII Town Police Station.

The first respondent filed a counter affidavit denying all the allegations and stating that the father of the petitioner by name Veerapaneni Krishna Mohan Tilak, S/o. Gopalakrishnaiah, has lodged a complaint alleging that her daughter is suffering from Mental Asylum. Therefore, a case in Cr.No.373 of 2005 under Sections 23 and 24 of Mental Health Act was registered on 18.12.2005 and investigation was taken up. The investigation done so far discloses that the petitioner was admitted for some time in the Government Hospital for Mental Care and King George Hospital at Visakhapatnam and her mental condition is yet to be decided.

The petitioner is present in the Court and submitted that her father died long back, and the complaint lodged in the name of her father is a concocted one. The facts stated in the writ petition would show that the claim of the petitioner seems to be a civil dispute with regard to recovery of arrears of Rs.80,000/-. Since the matter relates to a civil dispute between the petitioner and her co-tenants, suffice it to say that the respondents are directed not to interfere with the life and liberty of the petitioner.

With the above direction, the Writ Petition is allowed. No costs.

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(T. MEENA KUMARI, J.)

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(K.C. BHANU, J.)

13th March, 2006

Js.